

REMARKS

After entry of this amendment, claims 17 through 23, 25, 26, 28 through 30, 33 through 37, 39, 40, 42, 44 through 47, and 50 through 51 are pending in the present application. Claims 24, 27, 31, 32, 38, 41, 43, 48, 49, 52, 53 have been previously canceled.

Claims

Claim Rejections — 35 U.S.C. §112

Claims 17, 33, 44 and 50 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner has eluded that the Applicant's invention has no mention of any programming being performed. As set forth in paragraph [0018] of the present application, when a wheel (14) moves within the visual range of the camera (26), the camera (26) communicates an image of the wheel (14) to a controller (28), i.e. computer.

As set forth in the Miriam-Webster dictionary, one that computes; *specifically* a programmable, usually electronic device that can store, retrieve and process data. As was previously disclosed by the Applicant, the controller (28) compares the image received from the camera (26) with a plurality of images ***stored in memory***, which correspond to all of the differently configured wheels that can pass through the identification station (24). Therefore, it is clear that each of the ***images stored in memory and associated with structural characteristics and physical dimensions*** of a corresponding wheel (14), is programmed in the controller (28).

Claim 28 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner has eluded that the Applicant's invention has no mention of moving along the path of travel in response to computer-controlled signals. As it

was previously eluded by the Applicant, the assembly (90a) moves in the direction (122) at a *predetermined* angular velocity, in paragraph [0024]. *Predetermined* angular velocity must be controlled by a computer in order to move through a path. All of the above would be recognized by one of ordinary skill in the art as a programmable robotic manipulator and where programming is hereunto disclosed, thereby rendering the Examiner's rejection of claims 17, 28, 33, 44 and 50 moot.

Accordingly, withdrawal of the rejections under 35 U.S.C. §112, therefore, is respectfully requested. For the reasons set forth above, the Applicant respectfully submits that independent claims 17, 33, 44 and 50 with respective dependent claims are in condition for allowance, which allowance is respectfully solicited.

The Commissioner is authorized to charge our Deposit Account if there are any additional fees due in connection with the filing of this Supplemental Amendment in Response to the Notice of Non-Compliant Amendment.

Respectfully submitted,

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